

Message Text

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TAGS: EGEN, SENV, PL, US
SUBJ: POLISH ATTITUDE ON QUESTION OF EXPORT OF PRODUCTS BANNED
OR OTHERWISE RESTRICTED IN US

REF: STATE 173239

1. IN ACCORDANCE WITH REFTEL, EMBASSY OFFICERS
CONSULTED WITH OFFICIALS OF THE MINISTRIES OF HEALTH
AND FOREIGN TRADE, THE TWO GOP MINISTRIES MOST DIRECTLY
CONCERNED, ON THE QUESTION OF EXPORTS OF SUBSTANCES
BANNED OR OTHERWISE RESTRICTED IN THE US.

2. WLODZIMIERZ WISNIEWSKI, CHAIRMAN OF THE POLISH
CHAMBER OF FOREIGN TRADE (A SUBORDINATE OFFICE OF
THE MFT) SAID POLISH TRADE AUTHORITIES WERE PRIMARILY
CONCERNED WITH US HEALTH REGULATIONS AS THEY APPLIED
TO POLISH EXPORTS TO THE US. HE SAID THE PROBLEM
OF REGULATING US EXPORTS TO POLAND, WHILE SIGNIFICANT,
IS OF LESS IMPORTANCE TO THEM.

3. ON POSSIBLE US REGULATORY APPROACHES AS OUTLINED
BY AN EMBASSY OFFICER DRAWING ON REFTEL PARA 2,
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WISNIEWSKI HAD THE FOLLOWING COMMENTS:

A) LABEL NOTIFICATION OF US INTERNAL RESTRAINTS
AGAINST USE OF A PARTICULAR PRODUCT PRESENTED NO
PROBLEMS.

B) REQUIRING FOREIGN GOVERNMENT IMPORT APPROVAL

BEFORE GRANTING EXPORT APPROVAL SEEMED LIKE A "BUREAUCRATIC STEP THAT ACCOMPLISHES NOTHING".

C) DISCRETIONARY EXPORT CONTROL AUTHORITY FOR US REGULATORY AGENCIES WOULD POSE SOME PROBLEMS FOR THE GOP. THE HEALTH MINISTRY HAS DETAILED REGULATIONS ON WHAT SUBSTANCES MAY AND MAY NOT BE IMPORTED INTO POLAND, BASED ON POLISH JUDGMENTS ON THE NEED TO USE A GIVEN SUBSTANCE AS AGAINST ITS POSSIBLE HARMFUL EFFECTS. OFTEN THE POLISH HEALTH AUTHORITIES ACCEPT FOREIGN FINDINGS WITH REGARD TO HEALTH HAZARDS AND BAN THE USE OF A PARTICULAR SUBSTANCE. IN OTHER CASES, HOWEVER, THE GOP HAS DECIDED TO ACCEPT POTENTIALLY HAZARDOUS CONSEQUENCES AND PERMIT THE IMPORT OF CERTAIN SUBSTANCES, EG, CERTAIN INSECTICIDES, BECAUSE NO ADEQUATE ALTERNATIVES WERE AVAILABLE. ("WE COULD NOT AFFORD NOT TO USE THEM," WISNIEWSKI SAID.)

4. EXPANDING ON THIS LAST POINT, WISNIEWSKI SAID THAT IF THE US ENACTED DISCRETIONARY EXPORT REGULATIONS THE GOP WOULD BE LIKELY TO PERCEIVE THE ACTION AS ANOTHER EXAMPLE OF ARBITRARY EXPORT CONTROLS, SIMILAR TO PROHIBITIONS AGAINST THE SALE TO "SOCIALIST" COUNTRIES OF HIGH TECHNOLOGY PRODUCTS IF THEY COULD BE USED MILITARILY. WISNIEWSKI MADE IT CLEAR THAT LIMITED OFFICIAL USE

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IN ANY EVENT THE GOP PREFERS TO MAKE ITS OWN DECISIONS REGARDING THE COUNTRY'S HEALTH AND WELFARE AND DOES NOT WANT TO HAVE CERTAIN PRODUCTS UNILATERALLY BLOCKED FROM EXPORT BY THE USG, EVEN ON HEALTH GROUNDS.

5. IN A GENERAL DISCUSSION WITH ANOTHER EMBASSY OFFICER JULY 14, TWO MINISTRY OF HEALTH OFFICIALS MOST DIRECTLY CONCERNED WITH THIS ISSUE, DR. WIESLAW MAGDZIK, DIRECTOR OF THE HEALTH INSPECTION DEPARTMENT, AND HIS ASSISTANT, DR. HALINA SADOWSKA, HEAD OF THE FOOD HYGIENE AND NUTRITION DIVISION, CITED DETAILED POLISH REGULATIONS GOVERNING THE IMPORT OF PRODUCTS FOR PUBLIC CONSUMPTION THAT MIGHT BE HAZARDOUS OR CONTAMINATED (FOR EXAMPLE, PESTICIDES MUST BE EVALUATED TOXICOLOGICALLY BY THE STATE INSTITUTE OF HYGIENE BEFORE APPROVAL IS GIVEN FOR IMPORT). IN ANY CASE, THEY SAID, POLISH IMPORTS OF US PRODUCTS POSSIBLY FALLING INTO THESE CATEGORIES ARE RATHER LIMITED.

6. THE HEALTH MINISTRY OFFICIALS INDICATED A DECIDED PREFERENCE FOR NOTIFICATION AND EXPLANATION OF ANY US RESTRICTIONS, SO THAT POLISH AUTHORITIES COULD

MAKE THEIR OWN JUDGMENTS, RATHER THAN UNILATERAL
US ACTION. THEY THOUGHT THERE MIGHT BE VALUE IN
A WARNING LABEL ON THE PRODUCT ABOUT RESTRICTIONS
ON US USE, AT LEAST IN SELECTED CASES. THEY INDICATED
NO ENTHUSIASM FOR REQUIRING ADVANCE IMPORT APPROVAL
(NOTING IN THIS CONNECTION THAT IMPORTS ARE HANDLED
THROUGH THE STATE TRADING COMPANY, WHICH HELPS TO ACT
AS A FILTER TO SOME EXTENT), OR FOR OUTRIGHT US
PROHIBITION REGARDLESS OF THE FOREIGN GOVERNMENT'S
ATTITUDE.

7. THE HEALTH MINISTRY OFFICIALS ALSO ASKED FOR
SPECIFIC INFORMATION ABOUT THE CURRENT STATUS IN
THE US OF RESTRICTIONS ON THE USE OF SACCHARIN,
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